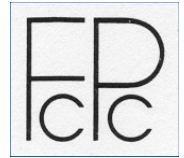




FREDERICK COUNTY PLANNING COMMISSION
WINCHESTER HALL, FREDERICK, MARYLAND 21701



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| ITEM | TIME | ACTION REQUESTED |
|------|------|------------------|
|------|------|------------------|

9:00 A.M.

1. STATUTORY AUTHORITY TO CLOSE SESSION:

State Government Article §10-508(a):

Maryland Annotate Code State Government Article §10-508(a)(7) To consult with counsel to obtain legal advice on a legal matter.

Topic: To discuss the Planning Commission's role in certain activities related to cases before the Commission.

Mr. Lawrence made a motion to go to closed session. Ms. Wolfe 2nd.

Vote: 6-0-0-1

For: 6 – Lawrence, Wolfe, Floyd, McClurkin, Hall, and Robbins

Against: 0

Abstain: 0

Absent: 1 – Young

RECONVENE TO OPEN SESSION – 9:50 A.M.

2. MINUTES:

August 8, 2012, CDD

Decision: Mr. Lawrence made a motion to approve the Minutes from the August 8, 2012 FcPc Meeting as corrected. Ms. Wolfe 2nd.

Vote: 7-0-0-0

For: 7 - Lawrence, Floyd, Wolfe, McClurkin, Hall, Robbins, and Young

Against: 0

Abstain: 0

Absent: 0

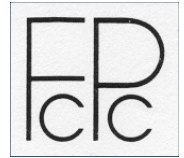
3. PLANNING COMMISSION COMMENTS

N/A



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4. **AGENCY COMMENTS/AGENDA BRIEFING:**

Jim Gugel stated that the Comprehensive Plan will be presented to the BoCC for adoption on September 13, 2012, and the zoning amendments will be effective as of that date. Further review to amend various portions of the text document will officially begin after the first of 2013.

5. **ELECTION OF OFFICERS:**

a) Rules and Procedures, Section 2-Officer and Committees:

2.1 – The commission shall organize annually in the month of September and elect a Chairman, Vice-Chairman, and Secretary. (10-19-05)

Decision: Ms. Wolfe extended thanks to Mr. McClurkin for his role the past year serving as Commission Chair and made a motion to nominate Mr. Floyd as Chair, Mr. Lawrence as Vice-Chair, and Mr. Hall as Secretary. Mr. McClurkin 2nd.

Before a vote on the nomination was made, Mr. Young proposed amending the motion to nominate Mr. Robbins as Chair. Mr. Hall 2nd.

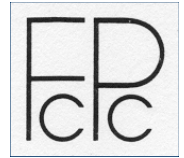
Vote: 4-3-0-0

For: 4 – Young, Hall, Robbins, and Wolfe
Against: 3 - McClurkin, Floyd, and Lawrence
Abstain: 0
Absent: 0

Mr. Young then made the motion to nominate Mr. Robbins as Chair, Mr. Lawrence as Vice-Chair, and Mr. Hall as Secretary. Mr. Hall 2nd.

Vote: 5-2-0-0

For: 5 – Young, Hall, Lawrence, Robbins, and Wolfe
Against: 2 - Floyd and McClurkin
Abstain: 0
Absent: 0



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6. **PRELIMINARY PLAT**

- a) Manorwood, Lots 95-97 – Staff presented request for preliminary plan approval for a 13 lot Residential Cluster subdivision.

Staff had no objection to conditional approval of the preliminary plan and recommended that the following items be added as conditions to the approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of the project.
2. The Applicant shall execute an APFO LOU consistent with this staff report and the terms of the Settlement Agreement.

Staff Presentation:

Mike Wilkins, Principal Planner

Ms. Wolfe made a motion to approve the plan in accordance with conditions listed in the Staff's findings and recommendations. Mr. Young 2nd.

Mr. Lawrence moved to amend the original motion to include a sidewalk requirement. Mr. McClurkin 2nd.

Vote: 2-5-0-0

| | |
|----------|--|
| For: | 2 – Lawrence and McClurkin |
| Against: | 5 – Young, Hall, Floyd, Robbins, and Wolfe |
| Abstain: | 0 |
| Absent: | 0 |

The motion to amend failed.

Decision: The original motion as presented:

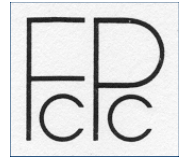
Vote: 6-1-0-0

| | |
|----------|---|
| For: | 6 – Young, Hall, McClurkin, Floyd, Robbins, and Wolfe |
| Against: | 1 – Lawrence |
| Abstain: | 0 |
| Absent: | 0 |



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7. **SITE PLAN**

- a) *Supply to Barren: Residential Cluster Concept* – Staff presented the requested Concept Plan approval for 31 Residential Cluster lots. The plan also proposed a new public street.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable Subdivision, Zoning, APFO, and FRO requirements. Should the FcPc grant approval of this application (S-871, AP 12438) and allow the Applicant to proceed to the preliminary plan stage, Staff recommends that the following items be added as conditions to the approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. The approval of this plan does not guarantee approval of future preliminary plans or final plats. All future applications shall be reviewed and approved in the normal manner and in accordance with all applicable regulations.

Staff Presentation:

Tolson DeSa, Principal Planner

Decision: Ms. Wolfe made a motion for approval of the site plan in accordance with the Staff's findings and recommendations. Mr. Young 2nd.

Vote: 4-3-0-0

For: 4 – Hall, Robbins, Wolfe, and Young

Against: 1 - McClurkin, Lawrence, and Floyd

Abstain: 0

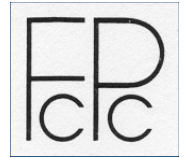
Absent: 0

8. **SUMMER 2012 CYCLE, WATER AND SEWERAGE PLAN AMENDMENTS**

The Planning Commission heard the following cases to determine consistency with the Comprehensive Plan:

Staff Presentation:

Tim Goodfellow, Principal Planner



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a) **Case WS-12-05 Town of New Market (Loveland Property)**

Tax Map 801, Parcel 3740, 150 West Main Street. Requesting reclassification of 0.34 acres from W-5/Dev. to W-3/Dev.

Decision: Mr. Lawrence made a motion for **finding of consistency** with the Comprehensive Plan. Ms. Wolfe 2nd.

Vote: 6-0-0-1

For: 6 – Hall, Lawrence, McClurkin, Floyd, Robbins, and Wolfe
Against: 0
Abstain: 0
Absent: 1 – Young

b) **Case WS-12-06 Kiplinger Washington Editors, Inc.**

Tax Map 96, Parcel 54. 3514 Urbana Pike. Requesting reclassification of 0.42 acres from W-5/Dev. to W-3/Dev.

Decision: Ms. Wolfe made a motion for **finding of consistency** with the Comprehensive Plan. Mr. Lawrence 2nd.

Vote: 7-0-0-0

For: 7 – Hall, Lawrence, McClurkin, Floyd, Robbins, Wolfe, and Young
Against: 0
Abstain: 0
Absent: 0

c) **Case WS-12-07 YBC Investors (Younkins PUD and Wedgewood West MXD)**

Tax Map 86, Parcel 6. NW side of New Design Road at the terminus of English Muffin Way. Requesting reclassification of 96 acres from W-4/Dev., S-4/Dev. to W-3/Dev., S-3/Dev.

Decision: Ms. Wolfe made a motion for **finding of consistency** with the Comprehensive Plan. Mr. Hall 2nd.

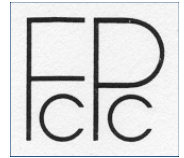
Vote: 7-0-0-0

For: 7- Hall, Lawrence, McClurkin, Floyd, Robbins, Wolfe, and Young
Against: 0
Abstain: 0
Absent: 0



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9. **TEXT AMENDMENT PUBLIC HEARING**

- a) Subdivision Regulations Text Amendment (ST-12-01) - Staff presented for public comment and Planning Commission consideration proposed changes to the Subdivision Regulations (Chapter 1-16 of the Frederick County Code).

Staff Presentation:

Michael Wilkins, Principal Planner

Decision: Ms. Wolfe made a motion for recommendation to the BoCC adding specific comments/changes. Mr. Lawrence 2nd.

- 1) Recommend requiring site visit by the commission before approving road adequacy items
- 2) Cul-de-sac cases/set maximum length be based on case-by-case
- 3) Retain current regulation requirement of public notice posting of minor subdivision

Vote: 7-0-0-0

For: 7 – Hall, Lawrence, McClurkin, Floyd, Robbins, Wolfe, and Young

Against: 0

Abstain: 0

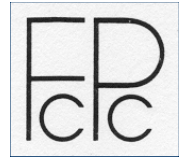
Absent: 0

10. **REZONING AMENDMENTS**

- a) Urbana Northern MXD Phase I Rezoning Amendment (R-06-01-A) - Staff presented the application for the Amendment to the Urbana Northern MXD (R-06-1-A). The applicant proposes to amend the Phase 1 Plan and certain conditions of approval including an increase in the number of dwelling units (from 500 to 610) and the elimination of the age-restricted status of 200 of the dwelling units. The MXD zoning was originally approved as Ordinance # 06-31-427 on October 5, 2006.
- b) Urbana Office/Research Center MXD (R-98-01-B) - Staff presented the application for the Amendment to the Urbana Northern MXD (R-98-01-B). The applicant proposes to amend the Phase 1 Plan and certain conditions of approval including a reduction in the land area established for commercial/retail uses and an increase in the land area established for employment uses. The MXD zoning was originally approved as Ordinance # 98-18-220 on August 4, 1998 and amended as Ordinance # 09-04-508 on December 3, 2009.



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Staff Presentation:

Denis Superczynski, Principal Planner

Decision: This was for informational purposes only and no vote was taken.

Meeting adjourned at 2:10 p.m.